

United States District Court

Eastern District of California

Ronald Earl Legardy,

Plaintiff,

No. Civ. S 04-2714 DFL PAN P

vs.

Order

D. L. Runnels,

Defendants.

-oOo-

June 6, 2005, plaintiff filed a notice of dismissal. Since defendants have neither answered the complaint nor moved for summary judgment, the Clerk of the Court is directed to enter plaintiff's dismissal without prejudice. Fed. R. Civ. P. 41(a)(1).

So ordered.

Dated: July 12, 2005.

/s/ Peter A. Nowinski

PETER A. NOWINSKI  
Magistrate Judge